

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

RICHARD SCHWARTZ AND ASSOCIATES, P.A.

PLAINTIFF

VS.

NO.3:19-CV- 747-HTW-LRA

DR. DEIRDRE CHRISTENBERRY, M.D.,

DEFENDANT

**PLAINTIFF'S MOTION TO SEAL THE CASE
BECAUSE OF ATTORNEY-CLIENT PRIVILEGE**

The Plaintiff, Richard Schwartz and Associates, P.A., by and through counsel, moves this Court to seal the case pursuant to Rule 79 of the Local Uniform Rules of Civil Procedure, and would show in support the following:

- 1) The Plaintiff is a law firm which hired the Defendant as a medical expert in numerous cases and brings this action to have the Defendant correct errors in her reports.
- 2) Due to the nature of this matter, the Plaintiff's confidential attorney-client information and protected work-product from the underlying cases in which the Defendant was retained as an expert, are fundamentally intertwined with the facts of this action.
- 3) In order for the Plaintiff to fulfill its obligations of client confidentiality, protect work-product, and for both parties to shield sensitive information, it is necessary for the Court to permanently seal the case from public access only, with CM/ECF access permitted to the litigants' counsel.
- 4) Sealing the case only from public access in CM/ECF but allowing public viewing in the Clerk's office would not adequately protect the confidential and sensitive information. Sealing the case from any access by the public and the litigants' counsel would be overly restrictive and prevent expeditious resolution of this matter.

5) Other procedures for protecting the confidential and sensitive information will not suffice as they would create judicial waste and confusion in the record, and still risk inadvertent disclosure of the confidential and sensitive information.

6) For these reasons, as more fully set forth and supported by case law in the Plaintiff's accompanying non-confidential memorandum, filed concurrently herewith and fully incorporated herein, this Court should grant the Plaintiff's Motion to Seal the Case Because of Attorney-Client Privilege.

Respectfully submitted, this the 31st day of January 2020.

/s/ Emily C. Bradley
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CERTIFICATE OF SERVICE

I, Emily C. Bradley, do hereby certify that I have this day served, via the CM/ECF System, a true and correct copy of the above and foregoing *Plaintiff's Motion to Seal the Case Because of Attorney-Client Privilege* to all counsel of record.

So certified, this the 31st day of January 2020.

/s/ Emily C. Bradley